



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/705,089	11/02/2000	Tomoshi Hirayama	SONY-U0596	4407

22850 7590 06/03/2005

OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

DUONG, OANH L

ART UNIT	PAPER NUMBER
----------	--------------

2155

DATE MAILED: 06/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/705,089

Applicant(s)

HIRAYAMA, TOMOSHI

Examiner

Oanh L. Duong

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/08/05.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-6,8-14,16,18-20,22,24-29,31 and 36-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-6,8-14,16,18-20,22,24-29,31 and 36-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11/30/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 2, 7, 15, 17, 21, 23, 30, 32-35 have been canceled.

Claims 1, 3-6, 8-14, 16, 18-20, 22, 24-29, 31, 36-40 are presented for examination.

Response to Arguments

1. Applicant's arguments filed 12/08/2004 have been fully considered but they are not persuasive.

In the remarks, applicants argued in substance that:

(A) Prior Art does not teach or suggest an information relaying apparatus configured to receive a request for information and a user identifier from user apparatus, and then generate a customer number based on the request, the request not identifying the user apparatus and the user identifier identifying the user apparatus.

As to point (A), before addressing the argument, examiner asserts that new amended feature "generates a customer number based on the request, the request not identifying the user apparatus" seems not be supported by the specification. In the specification of the invention in page 20 lines 5-6 defines "the generated customer number may be given at random or generated from the IP addresses". Gabber teaches substitute identifiers (or customer number) that may be constructed by applying pseudo-random and hash function to the data received from user site; therefore, Gabber does teach generates a customer number as defined in the specification of the invention.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1, 13, 22 and 40 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The features “generate a customer based on the request “ and “the request not identifying the user apparatus” is not supported by the specification of the invention.

Examiner respectfully requests applicants to specifically point out where in the specification supporting the features "generate a customer number based on the request" and "the request not identifying the user apparatus".

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1 and 22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The feature "receive the request and the customer number from the information relaying apparatus, to request the information relaying apparatus" does not have a clear meaning for a person of ordinary skill in the art to understand.

The feature "an information providing apparatus configured to establish a communication path between the information providing apparatus and the user apparatus, the communication apparatus being established by the relaying apparatus". It is not clear why a communication path needs to be established by information providing apparatus and again by information relaying apparatus as defined in the claimed invention.

It is not clear how a customer number is generated based on a request since the request does not identify the user apparatus.

Claim Rejections - 35 USC § 103

Art Unit: 2155

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 13, 16, 19-20, 22, 24-25, 31, 37-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gabber et al. (Gabber) (US 5,961,593) in view of Deng (US 2002/0097708 A1).

Regarding claims 1, 13, 22 and 40, Garber teaches a method of communication between an information providing apparatus (i.e., server site 110g) and a user apparatus (i.e., user site 105) (Fig. 2), comprising the steps of:

- generating a request for information, the request is not identifying the user apparatus (i.e., user site 105a issues a command to access server site 110g, col. 7 lines 62-64);

- sending the request and a user identifier identifying the user apparatus to an information relaying apparatus (col. 7 line 62-col. 8 line 2 and col. 8 line 18-34);

- generating customer number based on the user identifier (i.e., substitute identifiers are suitably constructed from data specific to user 105a (col. 8 lines 25-30);

- sending the request and the customer number to the information providing apparatus (i.e., col. 13 lines 30-37).

Garber does not explicitly teach requesting to establish and establishing a communication path as claimed.

Deng teaches requesting the information relaying apparatus to establish a communication path between the information providing apparatus and the user apparatus, and establishing the communication path between the information providing apparatus and the user apparatus (pages 8-9 paragraph 70).

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to combine to teachings of Garber to include establishing a communication path between user apparatus and information provider apparatus by the information relaying apparatus as taught by Deng because it would permit of real time voice communications between circuit-switch and packet-switched networks (Deng, page 5 paragraph 41).

Regarding claim 16, Gabber teaches one or both of an IP address and telephone number of the user apparatus (col. 6 lines 38-51).

Regarding claim 19, Gabber does not explicitly teach secures a communication path as claimed.

Deng, in the same field of endeavor, teaches the request for communication from the information providing apparatus to said information relaying apparatus is a request for communication by voice through the telephone and said information relaying apparatus calls said user apparatus and secures a communication path by telephone between said information providing apparatus and said user apparatus based on said request for communication (pages 8-9 paragraphs 70-71 and 73). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have utilized the security path of Deng in the process of providing information in Gabber

Art Unit: 2155

because such a secure path would prevent voice data to be routed from certain users to called parties who do not have security clearance, thereby increasing the system security.

Regarding claim 20, Gabber-Deng teaches information providing apparatus requests, by phone, communication by voice to said relaying apparatus; and said information replaying apparatus requests a real time voice communication path between said information providing apparatus and said user apparatus (Deng, (pages 8-9 paragraphs 70-71 and 73).

Regarding claim 24, Gabber teaches the customer number is randomly generated (col. 16 lines 38-41).

Regarding claims 25, Gabber teaches the customer number is generated based on a predetermined rule (col. 10 line 66-col. 11 line6), and the means for identifying uses the predetermined rule to identify the user apparatus (col. 7 lines 34-39).

Regarding claim 31, Garber-Deng teaches the communication path includes a network, a telephone line, a network telephone function through a network, or any combination thereof (Deng, Fig. 5B).

Regarding claims 37-39, Gabber-Deng teaches the voice communication path includes a telephone line (Deng, page 5 paragraph 41).

5. Claims 3-6, 8-12, 14, 18 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gabber in view of Grunsted et al. (Grunsted) (US 6,192,123 B1).

Regarding claims 3 and 14, Gabber-Deng does not specifically teach a predetermined object for operation.

Grunsted, in the same field of endeavor, teaches said information providing apparatus provides information by a web page having a predetermined object configured to be used for requesting information y operating the object, and when said user apparatus accesses said web page to obtain information and requests said information from said information providing apparatus using the predetermined object (col. 5 lines 6-17). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have utilized the predetermined object of Grunsted in the process of providing information via the network in Gabber because such use of predetermined object would enable the user to speak immediately with a company representative, and thereby enhancing the services of the system.

Regarding claims 4-5, Gabber-Deng-Grunsted teaches said predetermined object performs processing for inputting information relating to said request for information in said user apparatus in a state not able to be viewed by said information providing apparatus and for transmitting said input information to said information relaying apparatus in a state that can not be viewed by said information providing apparatus (Gabber, col. 8 lines 18-43).

Regarding claim 6, Gabber-Deng-Grunsted teaches information is encrypted by said information relaying apparatus and substantially provided in said information providing apparatus (Gabber, col. 8 lines 12-43).

Art Unit: 2155

Regarding claims 8 and 18, Gabber-Deng-Grunsted teaches said information apparatus searches for a person suitable for responding to said request and notifies the request to said person (Grunsted, col. 9 lines 46-47). Information relaying apparatus (Gabber, central proxy server 110a).

Regarding claims 9 and 10, Gabber does not explicitly teach secures a communication path as claimed.

Deng, in the same field of endeavor, teaches the request for communication from the information providing apparatus to said information relaying apparatus is a request for communication by voice through the telephone and said information relaying apparatus calls said user apparatus and secures a communication path by telephone between said information providing apparatus and said user apparatus based on said request for communication (pages 8-9 paragraphs 70-71 and 73). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have utilized the security path of Deng in the process of providing information in Gabber because such a secure path would prevent voice data to be routed from certain users to called parties who do not have security clearance, thereby increasing the system security.

Regarding claim 11, Gabber-Deng-Grunsted said information relaying apparatus stores the request and after a predetermined identifier identities related requests stored in information relaying apparatus, the related requests being related to the request, performs predetermined statistical processing on the request and the related requests

Art Unit: 2155

so as to provide statistical result, and analyzes the statistical result so as to provide an analysis result (Gabber, col. 7 lines 25-38).

Regarding claim 12, Gabber-Deng-Grunsted teaches said information providing apparatus determines one or both of a configuration of said information providing apparatus and the deployment of persons for handling said request based on the analysis result (Grunsted, col. 5 lines 40-62).

Regarding claims 36, Gabber-Deng-Grunsted teaches the voice communication path includes a telephone line (Deng, page 5 paragraph 41).

6 Claims 26-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gabber in view of Deng in further view of Kubota et al. (Kubota) (US 6,480,881 B1).

Regarding claim 26, Gabber teaches a storage means for storing information user identifier and customer number (col. 7 lines 34-39).

Gabber does not specifically teach storing the request.

Kubota, in the same field of endeavor, teaches storing the request (Fig. 5 col. 11 lines 1-67). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have utilized the stored request of Kubota in the process of providing information in Gabber because such step of storing request would allow required information to be obtained efficiently and quickly from various types of information sources (Kubota, col. 2 lines 20-22).

Regarding claim 27, Gabber-Deng-Kubota teaches detects the identification information and identifies the user apparatus based on said identification information

Art Unit: 2155

and said customer number received from said information providing apparatus (Gabber, col. 7 lines 34-39).

Regarding claim 28, Gabber does not specifically teach analysis means.

Kubota teaches means for storing a plurality of requests and analyzing the plurality of requests (col. 10 line 50-col. 11 line 67). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have utilized the analysis means of Kubota in the process of providing information in Gabber-Deng because such analyzing means would allow required information to be obtained efficiently and quickly from various types of information sources (Kubota, col. 2 lines 20-22).

Regarding claim 29, Gabber-Deng-Kubota teaches said storage means stores information relating to the time of occurrence of a request for information linked with said requests for information and said analysis means analyzes said requests for information using the time as an indicator (Kubota, col. 11 lines 10-67).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Oanh L. Duong whose telephone number is (571) 272-3983. The examiner can normally be reached on Monday- Friday, 8:00AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2155

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

O.D
May 25, 2005

Bharat Barot.
BHARAT BAROT
PRIMARY EXAMINER